

1 THOMAS J. NOLAN (SBN 66992)
thomas.nolan@skadden.com
2 PETER B. MORRISON (SBN 230148)
peter.morrison@skadden.com
3 VIRGINIA F. MILSTEAD (SBN 234578)
virginia.milstead@skadden.com
4 SKADDEN, ARPS, SLATE,
MEAGHER & FLOM LLP
5 300 South Grand Avenue, Suite 3400
Los Angeles, California 90071-3144
6 Telephone: (213) 687-5000
Facsimile: (213) 687-5600
7

8 Attorneys for Nominal Defendant
Questcor Pharmaceuticals, Inc.

9 FRANK J. JOHNSON (SBN 174882)
DAVID ELLIOT (SBN 270381)
10 JOHNSON & WEAVER, LLP
11 110 West "A" Street, Suite 750
San Diego, California 92101
Telephone: (619) 230-0063
12 Facsimile: (619) 225-1856

13 Attorneys for Plaintiff Gerald Easton

14 UNITED STATES DISTRICT COURT

15 CENTRAL DISTRICT OF CALIFORNIA

16 GERALD EASTON, Derivatively on
behalf of QUESTCOR
17 PHARMACEUTICALS, INC.,

18 Plaintiff,

19 v.

20 DON M. BAILEY, *et al.*,

21 Defendants,

22 -and-

23 QUESTCOR PHARMACEUTICALS,
INC., a California Corporation,

24 Nominal Defendant.
25

Case No.: SACV12-01716-DMG
(FMOx)

**STIPULATION EXTENDING
TIME TO RESPOND TO
COMPLAINT**

Judge: Hon. Dolly M. Gee
Complaint Filed: October 4, 2012
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STIPULATION EXTENDING TIME TO RESPOND TO COMPLAINT

Plaintiff Gerald Easton and Nominal Defendant Questcor Pharmaceuticals, Inc. (“Questcor”), (collectively, “the parties”), hereby stipulate and agree as follows:

WHEREAS, on October 4, 2012, Plaintiff filed the shareholder derivative complaint in the above-captioned action (“Complaint”), against certain Questcor officers and directors, purportedly on behalf of Questcor as the nominal defendant;

WHEREAS, Questcor’s counsel has been authorized to accept service of the Complaint on behalf of all other defendants;

WHEREAS, four other shareholder derivative actions (the “Derivative Actions”), for a total of five, all containing substantially similar factual and legal contentions as alleged in the Complaint, have been filed in the Central District Court of California;

WHEREAS, four putative federal securities class actions (the “Securities Actions”), all containing similar factual contentions as alleged in the Complaint, have been filed in the Central District Court of California;

WHEREAS, pursuant to Local Rule 83-1.3 and a Notice of Related Cases, six of the nine Securities and Derivative Actions have been transferred to this Court, as follows:

Securities Actions:

1. Norton v. Questcor Pharmaceuticals, Inc., Case No. 8:12-cv-01623-DMG-FMO (filed Sept. 26, 2012)

2. Heng v. Questcor Pharmaceuticals, Inc., Case No. 8:12-cv-01707-DMG-FMO (filed Oct. 3, 2012)

3. White v. Questcor Pharmaceuticals, Inc., Case No. 8:12-cv-01708-DMG-FMO (filed Oct. 3, 2012)

4. Danon v. Questcor Pharmaceuticals, Inc., Case No. 8:12-cv-01717-DMG-FMO (filed Oct. 4, 2012)

1 **Derivative Actions**

2 5. The above-referenced action, Easton v. Bailey, et al., Case No. 8:12-cv-
3 01716-DMG-FMO (filed Oct. 4, 2012)

4 6. Johnson v. Bailey, et al., Case No. 8:12-cv-01718-DMG-FMO (filed
5 Oct. 4, 2012);

6 WHEREAS, one shareholder derivative action, Tripoli v. Bailey, et al., Case
7 No. 8:12-cv-01759-AG-MLG (filed Oct. 11, 2012), was identified in a Notice of
8 Related Cases as related to the above-referenced actions, and therefore the parties
9 anticipate that it will be transferred to this Court as well;

10 WHEREAS, the following two shareholder derivative actions and one
11 securities action were filed after the above-referenced Notice of Related Cases was
12 filed, and an additional Notice of Related Cases and subsequent transfer to this Court
13 is anticipated:

14 1. Goswami v. Bailey, et al., Case No. 8:12-cv-01753-CJC-MLG (filed
15 Oct. 11, 2012)

16 2. Richards v. Bailey, et al., Case No. 8:12-cv-01754-DOC-MLG (filed
17 Oct. 11, 2012);

18 3. Ho v. Questcor Pharmaceuticals Inc., et al., Case No. 8:12-cv-01814-
19 AG-AN (filed Oct. 17, 2012);

20 WHEREAS, the parties anticipate filing a motion or stipulation to consolidate
21 the five related Derivative Actions referenced above, as well as any other
22 subsequently-filed related derivative action, into a single action before this Court;

23 WHEREAS, Plaintiff's counsel has met and conferred with plaintiffs' counsel
24 in the five related Derivative Actions regarding the selection of a lead counsel to lead
25 a single consolidated derivative action, and to subsequently present to the Court a
26 proposed order appointing a lead counsel or, in the alternative, move the Court for an
27 appointment of lead counsel;

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1 WHEREAS, once selected, the parties anticipate that the lead counsel will
2 identify an operative complaint or file a consolidated complaint that becomes the
3 operative complaint;

4 WHEREAS, the parties agree that in the interests of judicial economy,
5 conservation of time and resources, and orderly management of this action, no
6 response to any pleading in this action by any defendant should occur until after (i)
7 the Derivative Actions are transferred to this Court and consolidated, if the Court
8 deems such consolidation appropriate, (ii) lead counsel are stipulated to by plaintiffs
9 in the Derivative Actions or appointed by the Court, and (iii) such lead counsel files
10 and serves an operative complaint;

11 IT IS HEREBY STIPULATED AND AGREED, by and between the
12 undersigned counsel for the undersigned parties, as follows:

13 1. No defendant needs to respond to the Complaint already filed in this
14 action.

15 2. Following service of a Court order appointing lead counsel, such lead
16 counsel will have sixty days to serve and file a consolidated complaint or to identify
17 an operative complaint.

18 3. The time for all defendants to answer, move, or otherwise plead in
19 response to any complaint filed in the above-captioned matter is hereby extended to
20 sixty days following service of the consolidated complaint, or the designating of an
21 operative complaint, by lead counsel.

22 4. Nothing herein shall be deemed to constitute a waiver of any rights,
23 defenses, objections or any other application to any court that any party may have
24 with respect to the claims set forth in the Complaint already filed in this action.

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Dated: October 26, 2012

SKADDEN, ARPS, SLATE, MEAGHER &
FLOM LLP

By: /s/ Peter B. Morrison
Peter B. Morrison
Attorneys for Nominal Defendant
Questcor Pharmaceuticals, Inc.

JOHNSON & WEAVER, LLP

By: /s/ Frank L. Johnson
Frank L. Johnson
Attorneys for Plaintiff Gerald Easton